GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department – Allegations leveled against Sri D.Amarnath, the then Town Planning Building Overseer and two (2) other officials of Srikakulam Municipal Corporation for allowing the unauthorized constructions of six (6) Buildings and violation of Building Rules - Departmental action initiated - Enquiry conducted - Charges held 'not proved' - Enquiry Report along with Disagreement factors communicated - Written explanation submitted – Explanation considered - Further action dropped against Sri D.Amarnath, the then Town Planning Building Overseer, Srikakulam Municipal Corporation - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.304 **Dated:25.06.2021.**

Read the following:

1) From the Director General, G.A. (V&E) Department, Vigilance Report No.69 (1147-1/V&E/D1/2005), dated.28.05.2007.
2) G.O.Rt.No.171, MA&UD (E1) Department, dated.04.02.2008.
3) Written Statement of Defence of Sri D.Amarnath, Town Planning Building Overseer, Amadalavalasa Municipality, Srikakulam, dated.26.04.2008.
4) G.O.Rt.No.536, MA&UD (Vig.I) Department, dated.21.05.2018.
5) G.O.Rt.No.537, MA&UD (Vig.I) Department, dated.21.05.2018.
6) Enquiry Report from Sri Y.P.Ranganayakulu, RDDTP & Enquiry Officer, Visakhapatnam, Lr.Roc.No.168/2018/V1, dated.17.07.2019.
7) Govt.Memo.No.16545/Vig.I/2007, dated.16.10.2020.
8) Written Representation of Sri D.Amarnath, the then TPBO., Srikakulam and present ACP., O/o. DTCP., A.P., Mangalagiri, dated.26.11.2020.

-oOo-

Whereas, it has been brought to the notice of the Government by the Director General, G.A. (V&E) Department that, the Vigilance & Enforcement Department conducted an enquiry with regard to unauthorized constructions of six (6) buildings and violation of building rules by certain builders in Srikakulam Municipality. In the reference 1st read above, the G.A. (V&E) Department submitted a report and recommended to initiate disciplinary action against Sri D.Amarnath, the then Town Planning Building Overseer and two (2) other officials of Srikakulam Municipality for allowing the unauthorized constructions of six (6) Buildings and violation of Building Rules.

2. Whereas, in the reference 2nd read above, Government have initiated disciplinary proceedings duly framing the articles of charges against Sri D.Amarnath, the then Town Planning Building Overseer, Srikakulam Municipality and directed him to submit his written statement of defence thereon.

3. Whereas, in the reference 3rd read above, Sri D.Amarnath, the then TPBO., Srikakulam Municipality submitted his written statement of defence by denying the charges framed against him and requested to drop further action.

4. Whereas, Government having not convinced with the written statement of defence submitted by the charged officer, issued orders vide G.O. 4th read above, appointing Sri Y.P.Ranganayakulu, Regional Deputy Director of Town & Country Planning, Visakhapatnam as an Inquiry Officer to enquire into the charges framed against all the three (3) charged officers including D.Amarnath, the then TPBO. In the G.O. 5th read above, Sri Deva Kumar, Assistant City Planner, Srikakulam Municipal Corporation was appointed as Presenting Officer, to present the case before the Inquiry Officer on behalf of Disciplinary Authority.

5. Whereas, in the reference 6th read above, Sri Y.P.Ranganayakulu, Regional Deputy Director of Town & Country Planning, Visakhapatnam has submitted his enquiry and reported that, the building permissions were accorded in the year 2004 itself and the V&E Department in the year 2007 pointed out certain deviations regarding setbacks. Provisional orders and Confirmation orders notices were issued to said unauthorized constructions and the buildings which are constructed in violation of rules were regularized subsequently in the BPS / BRS introduced in the

(P.T.O.)

year 2006 & 2010 respectively. Further, among other things, the Enquiry Officer requested to take a lenient view while finalization of the disciplinary action against the charged officer, taking into consideration of the explanation submitted by him, the difficulties faced during field functions by them and vast service rendered in the Department.

6. Government have examined the enquiry report and disagreed with the findings of the enquiry officer that, the Provisional order and Confirmation order notices were issued by the Charged Officers to the said unauthorized constructions and the buildings are constructed in violation of rules, which itself shows that the charge i.e., allowing of deviations from the sanctioned plans is proved against the Charged Officers. In the reference 7th read above, while communicating a copy of enquiry report along with disagreement factors under Rule 21 (2) of APCS (CC&A) Rules, 1991, the charged officer was directed to submit his written representation.

7. In the references 8th read above, Sri D.Amarnath, the then TPBO., Srikakulam has submitted his written explanation stating that, he has recommended plans as per G.O.Ms.No.422, M.A., dt.31.07.1998 of Building Rules and as per Zoning Regulations. The said buildings were not commenced the construction work during his working period and the completion of said buildings are happened after his transfer and requested to drop further action against him.

8. Government have examined the matter and taking into consideration of the findings of Inquiry Officer and written explanation submitted by the delinquent officer Sri D.Amarnath, it has been decided to drop further action against Sri D.Amarnath, the then Town Planning Building Overseer, Srikakulam Municipal Corporation and present Assistant City Planner, O/o. DTCP., A.P., Mangalagiri.

9. Accordingly, Government hereby order to drop further action against Sri D.Amarnath, the then Town Planning Building Overseer, Srikakulam Municipal Corporation and present Assistant City Planner, O/o. DTCP., A.P., Mangalagiri.

10. The Director of Town & Country Planning, A.P., Guntur shall take further necessary action in the matter, accordingly.

11. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRI LAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri D.Amarnath, the then TPBO., Srikakulam Municipal Corporation
and present Assistant City Planner, O/o. DTCP., A.P., Mangalagiri
- **through** the DTCP, A.P., Guntur.
The Director of Town & Country Planning, A.P., Guntur.
Copy to:
The Commissioner & Director of Municipal Administration, A.P., Guntur.
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The Commissioner, Srikakulam Municipal Corporation, Srikakulam District.
SF / SCs.

// FORWARDED BY ORDER //

SECTION OFFICER.